G. R. S. 58]

Previous references.

SJA 92-08 Ss. 1-2. R. Sept. 08
do 127-06. Ss. 5, 6, 33 & 33½ 1914.
SJA 62-14 Ss. 6 & 7. March 1915 (SJA)

Later references.

SP 18-54 (1-2)

File No. 62-14

Serial Nos. 14 and 15

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 14 and 15

Part B for January 1916.

SUBJECT.

Sarjapur Jahgir Stipends.

Sl. 14. Proposal:-

States that the point on which orders of Govt. were solicited in connection with Hussein Bee's petition is whether her claim to a portion of the stipend enjoyed by her father about 40 years ago and subsequently divided among her brothers can now be entertained and considered.

W D 1351—GPB—20,000—13-12-15

Sl. 15. Ill. order:-

States that it is not proper to reopen the question of re-distn of Rujan Khan who died about [illegible] was divided among his 3

28/1

G. R. S. 11] 1914.

GENERAL AND REVENUE SECRETARIAT.

(S & A)

NOTES.

File No. 62-M

FILE HEADING.

Sanjapur Jahgir Stipends

From

The Deputy Commissioner, Sanjapur

No. 832 Dated 22nd/25th June 1915 Received 26th June 1915

Diary No. 5388 | Enclos. 1 file Spare Copies. | Serial No. 14

BRIEF ABSTRACT OF LETTER.

States that the point on which orders of Govt were solicited in connection with Hussain Bee's petition is is whether her claims to a portion of the stipend now enjoyed by her father about 40 years ago & subsequently divided between among her brothers can now be entertained & considered.

NOTES AND ORDERS.

P

1. The present communication is with reference to Secy Commissioner letter No. 4599 dt 2nd March 1915.

3/7/15 2) The merits of the case have already been noted in S & A 62-M dt. 6-7

NOTES—First Sheet.

GPB—20,000—8-8-14

5389

General and Revenue Secretariat. | S H File No. 62 of 1914

Serial No.

3) Though these Stipends are for the Maintenence of the family, a married daughter of the family is to be regarded as having passed out of the family and cannot lay claim to any portion of the Stipend when there are male members to whom the pension properly descends.

4- Regarding the specific question raised by the Dy Comr, though there is no fixed within period of time in which a claimant to pension should prefer the claim, the answer in the particular instance, taking into account all the facts of the case may be in the negative.

Sd/- 30/7.

Secy

5. A draft letter is put up.

Dated 1915

6. A draft letter is put up.

Sd/- 14.9.15.

7- An abstract of representation made by before the Asst Secy by one Mst Abdul Aziz Khan on behalf of his mother Husain Bi, referred to above, is put up.

8- S & A 92-08 St. 1-2 in which

NOTE—Contn. sheet.

GPB—20,000—30-6-15.

[R. S. 12]

865

C

General and Revenue Secretariat.

S & A File No. 62 of 1914.

Serial No.	
	Hussain Bi's claim to Ghouse Khan's stipend was rejected (since traced) is put up.
	Q- It is a question whether any action is necessary on Aziz Khan's prayer by way of sending it to the Dy Commr: for enquiry as to fraudulent suppression of information as alleged and if so why any portion of the stipend of Galib Khan - transferred to Abdul Hameed Khan should not retransferred to Hussain Bi.
	MM 25/9/15 Please put up the file in which Galib Khan's Share of the pension was distributed among heirs after his death. It may perhaps not be impossible to order a redistribution of this amount, if it is found that the original distribution was due to any misrepresentation or fraud on the part of the persons now enjoying such pension. he. 13.10.15
	Subd. Put S & A 127-06-8½, 5, 6, 33-33½, passing order as the vacant stipend of the late Galib Khan is put up. MM 13/10/15 Mov 2. From the file 127-06 put up it

NOTE—Contn. sheet.

GPB—20,000—30-6-15.

5888/1865

4

R. S. 12]

General and Revenue Secretariat. | S&A File No. 62 of 1914.

Serial No.

will be seen that while disposing of Gabul Khan's pension the existence of his sisters was not kept back. On the other hand it was not deliberately intended to preclude the Sisters whose claim had been ignored ~~in~~ when in 1873 Budan Khan's pension was divided among the sons & nothing ~~been~~ was given to the daughters. Under these circumstances the Govt are informed that Govt are not disposed to allow this question to be reopened.

A draft is accordingly put up

Put up.
24/10/15

Govt (Member) This draft may be put up to the 1st Member

1. Where is the rule laid down that female heirs shd not be recognised?

(1)

2. The Petr whose claim as daughter was rejected is not precluded from claiming as a Sister of the next man. But her claim was rejected in 1908. Is any adequate reason given why she did not ask for recn soon after?

(2)

(3)

NOTE—Contn. sheet.

GPB—20,000—30-6-15.

P.T.O

31/3/15

G. R. S. 12]

General and Revenue Secretariat. | S.R. File No. 62 of 1914.

Serial No.

14 With regard to the questions raised by the 1st Member the following remarks are submitted. —

(1) There is no rule for the exclusion of female heirs. Mahomedan Law is followed in many cases and in some cases as the present, is not.

In fact the present petitioner was one of the six female heirs (daughters) to the original stipendiary Budan Khan, that have been excluded in the distribution of the stipend.

(2) The petitioner's right to a share as sister to the next man was considered & rejected. (page 11 of S.R. 127-06 Sl. 5-33½). This order rejecting was reiterated when a subsequent petition was received from her. (vide page 3 of S.R. 92-08 Sl. 102).

(3) It cannot be definitely stated why the petitioner did not seek soon after for a revision of orders which excluded her from a share to her brother's stipend and did is stated in the Dy Commr's report that one of her brothers (Galib Khan ~~Yousuf Khan~~ who was a bachelor) was giving her his shar

Paper under disposal

NOTE—Contn. sheet.

GPB—20,000—30-6-15

R. S. 12]

General and Revenue Secretariat. | S & A File No. 62 of 1914.

Serial No.

of the pension as long as he was alive but that his heirs declined to continue the payment. She seems to have been residing in Hyderabad with her son which may also account for her silen

HSM 11/12/15 Member

Ng. 11.12.15

Duration of the pension

Submitted Ng.

15 The pension of Bundu Khan was disposed of in 1873 and the petitioner was excluded from its enjoyment. Her claim is time-barred. The draft reply is approved.

15/1/16

16 Issue accordingly Ng 17.1.16

NOTE—Contn. sheet.

GPB—20,000—30-6-15.

GPB—100,000—20-7-14

From The 191
26/6
The Deputy Commissioner
Bangalore District

To
The Secretary to the Govt of
Mysore

Dated Genl & Rev Depte
Despatched 25-6-15
Received
General No. 4832
No.
Enclosure No. 1 File

Re The petition of one
Hussain Bee claiming
a portion of Stipend
enjoyed by her father
Budan Khan one of the
members of the Sarpa
Jaher family in the
Anekal Tq—

DIARY NO. 5388
1914-1915
SECTION 81a
FILE No. 62-14
14

Office of the Deputy Co
Bangalore Distr

No. 1832/1915 Dated (Camp) Mysore, 22nd 25

From

K.Chandy Esq., B.A.,
Deputy Commissioner,
Bangalore District.

To

D.M.Narasinga Rao Esq., B.A.,B.L.,
Offg:Secretary to the Government ofH.H.
the Maharaja of Mysore, Genl & Rev.Depts.

Sir,

With reference to your letter No.Fl.4599/S.&A.62-14-7 dated 2nd March 1915, returning the file of papers connected with the petition of one Hussein Bee claiming a portion of stipend enjoyed by her father Budankhan one of the members of the Sarjapur Jaghir Family in the Anekal Taluk, I have th the honor to state that the point on which the orders of -- Government are solicited in this case is whether the petitioner's claim to any portion of the pension as enjoyed by her father about 40 years ago and subsequently divided among her brothers can be entertained and considered now.

2. It will be seen from the geneological tree(Pherist No.21 in the file) that Budan Khan the last pensioner, left three sons and six daughters among whom the petitioner Hussein Bee is one. The pension of Rs.17-7-3 enjoyed by the said Budan Khan was distributed equally among his three sons, and the petitioner prays that as she was being given the full pension enjoyed by one of her brothers and as his successor now refuses to give her anything, her claim for her share of the pension enjoyed by her father may be recognised and separately registered.

3. The file of Vernacular papers ending with the Dodballapur Sub-Division Officer's Yadi No.1734 not dated, but received -- here on 16th June 1915 is herewith submitted for reference and

obliging

obliging return when no longer required.

I have the honor to be,

Sir,

Your most obedient servant.

K Meaudy

Deputy Commissioner,
Bangalore District.

L.S.R.
1.

1½

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G. R. S. 26] 18/1

File No 62-14

Serial No. 15

Tidy Draft

Diary No. of letter replied to 5388

General and Revenue Secretariat
( )
, the *191* .

Date of issue 22-1-16

Signed by M Shamanna

No. R 3504

dy 22nd June 1915

To

The Deputy Commr.,

Bangalore Dt.

Sir,

With reference to correspondence ending with your letter No. 832 A. 22nd June 1915 in the matter of the claim of one Hussain Bee to a portion of the Sanjapur pension enjoyed by her father Budan Khan, I am directed to state that it is not desirable for ~~possible~~ to re-open now the question of re-distributing the pension

over.

SUBJECT.

5.

of Budan Khan, who died about 40 years ago & whose pension ~~the death of the latter's widow~~ Zulaikha Bi was divided among his three sons and has been afterwards continued to their heirs.

In this connection I am to state that Hussain Bi's prayer for a portion of the stipend enjoyed by her brother Ghouse Khan was rejected in G.O. No. 7L-414 Sect 92-08-2 dt 12.9.1908.

I have &c.

Dft

Hk sec to Govt Genl Dept

15/1/16

List of enclosure

RM 22/10/15

Hc 1.11.15

Copied by

Examined by

GPB—25,000—8-8-11.